

ORDINANCE NO. 20080807-078

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 207 DUNLAP STREET IN THE DAWSON NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-MU-V-CO-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence-neighborhood plan (SF-3-NP) combining district to community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district on the property described in Zoning Case No C14-2008-0074, on file at the Neighborhood Planning and Zoning Department, as follows

A 0.289 acre tract of land, more or less, out of the Isaac Decker League, Abstract No. 8, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 207 Dunlap Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. Except as specifically provided in Part 3, Part 4, and Part 5 of this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district and other applicable requirements of the City Code.

PART 3. The Property is subject to Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed Use Buildings*) as follows

- A. The Property is exempt from the dimensional standards identified in Article 4.3.3 E.2. (*Dimensional and Parking Requirements*)
- B. The Property is subject to the parking reductions identified in Article 4.3.3 E.3 (*Dimensional and Parking Requirements*).

- C Ten percent of residential units available for rental in a vertical mixed use building shall be reserved for households earning no more than 60 percent of the Annual Median Family Income

PART 4. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions

- A A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 500 trips per day
- B. The following uses are prohibited uses of the Property

Automotive repair services
Automotive sales
Pawn shop services
Vehicle storage

Automotive rentals
Automotive washing (of any type)
Commercial blood plasma center

PART 5. The Property is subject to Ordinance No 011206-10 that established the Dawson neighborhood plan combining district

PART 6. This ordinance takes effect on August 18, 2008

PASSED AND APPROVED

_____, August 7, 2008 §
 §
 §

 Will Wynn
 Mayor

APPROVED: _____ **ATTEST:** _____
 David Allan Smith Shirley A Gentry
 City Attorney City Clerk



**Professional Land Surveying, Inc.
Surveying and Mapping**

Office 512-443-1724

Fax 512-389-0943

3500 McCall Lane

Austin, Texas 78744

EXHIBIT A

JAMES H. LACEY

0.289 ACRE ZONING DESCRIPTION

DESCRIPTION OF A 0.289 ACRE (APPROXIMATELY 12,582 S F) TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE, ABSTRACT NO. 8, IN TRAVIS COUNTY, TEXAS, BEING THE REMAINDER PORTION OF THAT TRACT CONVEYED TO JAMES H. LACEY, BY GENERAL WARRANTY DEED, DATED JANUARY 31, 2000, RECORDED IN DOCUMENT 2000015541, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.289 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING at an X in concrete for the southeast corner of the remainder of the James Lacey tract, being also the southwest corner of the remainder portion of that tract conveyed to Howard Long recorded in Volume 6167, Page 1092, of the Deed Records of Travis County, Texas and in the north right-of-way line of Interstate Highway 35 (IH35)(right-of-way width varies), from which a Texas Department of Transportation (TxDOT) type II disk found bears South 53°34'22" East, a distance of 154.23 feet,

THENCE North 53°34'22" West, along the common line of the remainder of the James H. Lacey tract and IH 35, a distance of 66.33 feet to an X in concrete found for the southwest corner of the remainder of the James H. Lacey tract, being also the southeast corner of the remainder of the Janie Ybarra tract, recorded in Volume 5473, Page 1276, of the Deed Records of Travis County, Texas,

THENCE leaving the north right-of-way line of IH 35, North 23°29'45" East, along the common line of the remainder of the James H. Lacey tract and the Janie Ybarra tract, a distance of 44.91 feet to the northeast corner of the Janie Ybarra tract, being also the southeast corner of a 50' X 150' tract to Raul Reyna per Travis Central Appraisal District property ID no. 312617. No record documents supporting this conveyance found at Travis County Clerk's Office,

THENCE North 23°27'16" East, West, along the common line of the James H. Lacey tract and the Raul Reyna tract, a distance of 152.32 feet to a 1/2" rebar with cap set for the northwest corner of the James H. Lacey tract, being also the northeast corner of the Raul Reyna tract and in the south right-of-way line of Dunlap Street (right-of-way width varies),

THENCE South 62°47'21" East, along the common line of the James H. Lacey tract and Dunlap Street, a distance of 60.00 feet to a 1/2" rebar with cap set for the northeast corner of the James H. Lacey tract, being also the northwest corner of the remainder of

a 150' X 52 5' tract conveyed to Frank L Sanchez, recorded in Volume 1891, Page 181, of the Deed Records of Travis County, Texas, from which a bolt found bears South 62°47'21" East, a distance of 137 54 feet,

THENCE South 22°17'08" West, along the common line of the James H Lacey tract and the Frank L Sanchez tract, a distance of 52 38 feet to a 1/2" rebar with cap found for the southwest corner of the Frank L Sanchez tract, being also in the east line of the James H Lacey tract and the northwest corner of a 0 171 acre (KCGR) tract recorded in Document No 2006040109, of the Official Public Records of Travis County, Texas,

THENCE South 22°06'19" West, along the common line of the James H Lacey tract, the KCGR tracts and the Howard Long tract, a distance of 155 86 feet to the **POINT OF BEGINNING**, containing an area of 0 289 acres of land, more or less

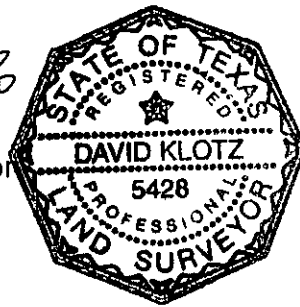
Surveyed on the ground February 12, 2007 Bearing basis is Grid Azimuth for Texas central zone, 1983/93 HARN values from LCRA control network Attachments None

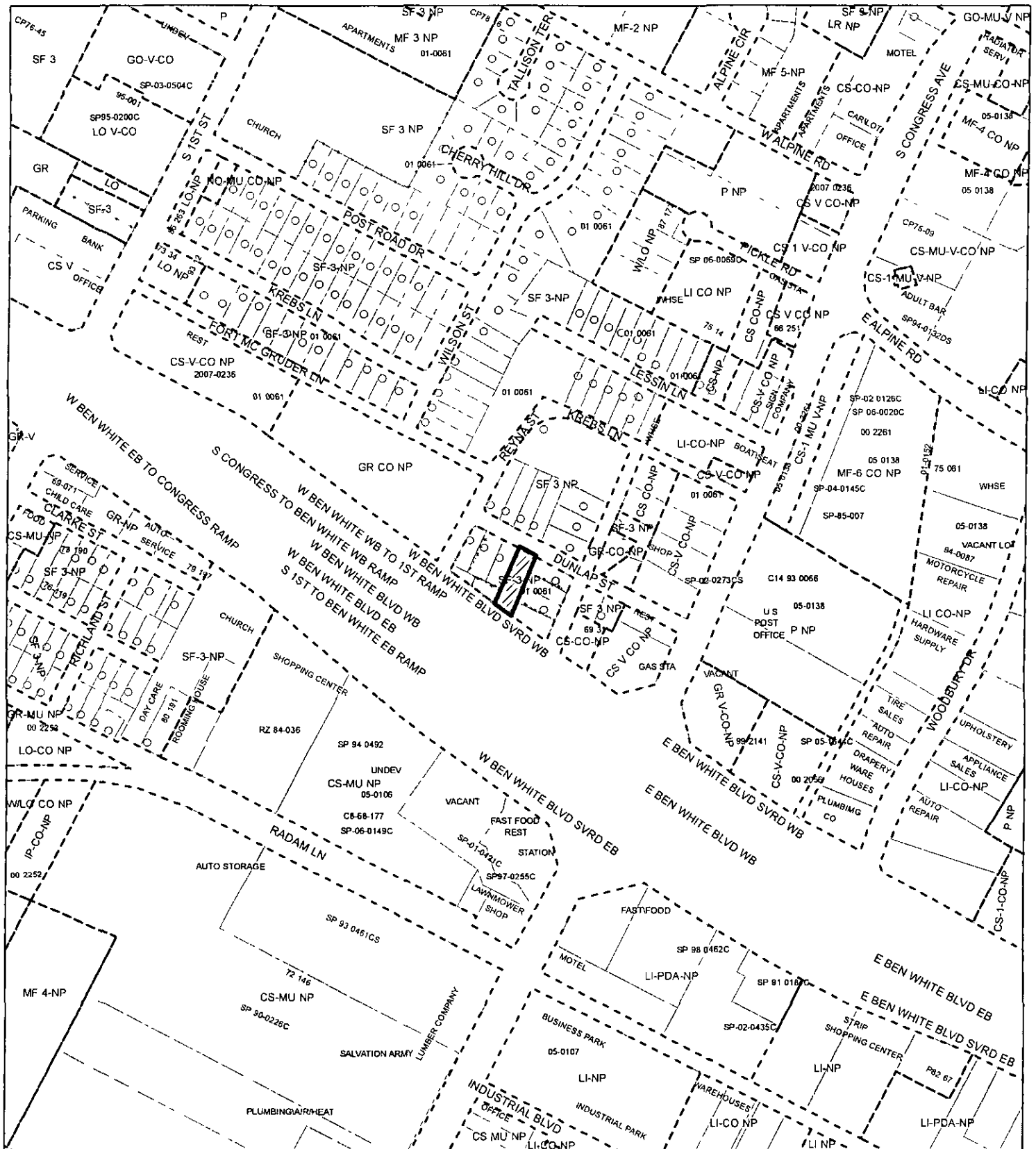
 7/31/00

David Klotz

Date




Registered Professional Land Surveyor
State of Texas No 5428





ZONING EXHIBIT B



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

ZONING CASE# C14-2008-0074
 ADDRESS 207 DUNLAP ST
 SUBJECT AREA 0.289 ACRES
 GRID H18
 MANAGER R LEVINSKI

OPERATOR S MEEKS

1" = 400'

This map has been produced by GIS Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

